

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTINA PRUKALA,

Plaintiff,

v.

ELLE, JOHN DOES 1-10,

CORPORATIONS X, Y, Z,

Defendants.

CIVIL ACTION NO. 3:14-cv-92

(JUDGE CAPUTO)

**ORDER**

NOW, this 28<sup>th</sup> day of March, 2014, **IT IS HEREBY ORDERED** that

- (1) Defendant Hearst's Motion to Dismiss (Doc. 3) is **GRANTED**. Counts I, II, IV, and V of the Complaint are **dismissed without prejudice**. Count III is **dismissed with prejudice** as it relates to Plaintiff's receipt of e-mail communications; otherwise the TCPA claim in Count III is **dismissed without prejudice**. Count VI of the Complaint is **dismissed with prejudice**.
- (2) Plaintiff has **twenty-one (21) days** from the date of entry of this Order to file an Amended Complaint to properly plead her claims in Counts I through V against Defendant; otherwise, the claims will be **dismissed with prejudice**.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge